

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Waiver for Active/Passive Buffer Setback Design Standards for the Hindu Temple Quadraplex

DEPARTMENT: Planning and Development **DIVISION:** Development Review

AUTHORIZED BY: Dori DeBord

CONTACT: Cynthia Sweet

EXT: 7443

MOTION/RECOMMENDATION:

Approve the following waivers to the Active/Passive Buffer Setback Design Standards for the Hindu Temple Quadraplex proposed on the south side of Lake Drive and east of Florida Avenue, in Section 10, Township 21 S, Range 30 E, for The Hindu Society of Central Florida, applicant.

1. Reduce building setbacks from 100 feet to 21 feet minimum for passive sides;
2. Reduce building setbacks from 100 feet to 23 feet minimum for active side;
3. Reduce buffer width for passive sides from 15 feet to 7.5 feet minimum;
4. Reduce buffer for active side from 50 feet to varies from 2.7 feet to 9.2 feet.

District 2 Michael McLean

Cynthia Sweet

BACKGROUND:

On behalf of the applicant, Jeremy Anderson, representative for The Hindu Society of Central Florida, is requesting the Board approve a waiver to the Seminole County Land Development Code Section 30.1232 for Active/Passive Buffer Setback Design Standards for building setbacks from 100 feet to 21 feet minimum for passive sides and from 100 feet to 23 feet minimum for active sides and buffer width for passive sides from 15 feet to 7.5 feet minimum and for active side buffer from 50 feet to varies from 2.7 feet to 9.2 feet for the Hindu Temple Quadraplex.

Seminole County Land Development Code Section 30.1232, Active/Passive Buffer Setback Design Standards shall apply for commercial or multi-family developments adjacent to properties assigned a residential zoning classification or land use designation. Buffers and setbacks required by this section are intended to separate incompatible land uses and eliminate or minimize adverse impacts such as noise, light, glare, and building mass on adjacent residential uses.

The access to this property will be from the existing temple's site rather than through the deeded access between the parcels to the north to help reduce any objectionable impacts to those properties. The adjacent parcels are zoned A-1 with a residential land use. The property to the east, which will be more impacted by reducing the active/passive setbacks and buffer, is an ornamental plant nursery and is not used for residential purposes.

The building will meet the minimum setback requirements for the R-1AA classification and will be used as ancillary to the existing temple serving as living quarters for the temple's priests. Due to the size of the parcel, adjacent properties, and the use of the proposed structure, staff is in favor of reducing the setbacks and buffers as proposed. Staff concludes that reducing the setbacks and buffers will not cause any negative impacts on the adjacent properties.

The site is located on south side of Lake Drive and east of Florida Avenue, in Section 10, Township 21 S, Range 30 E.

STAFF RECOMMENDATION:

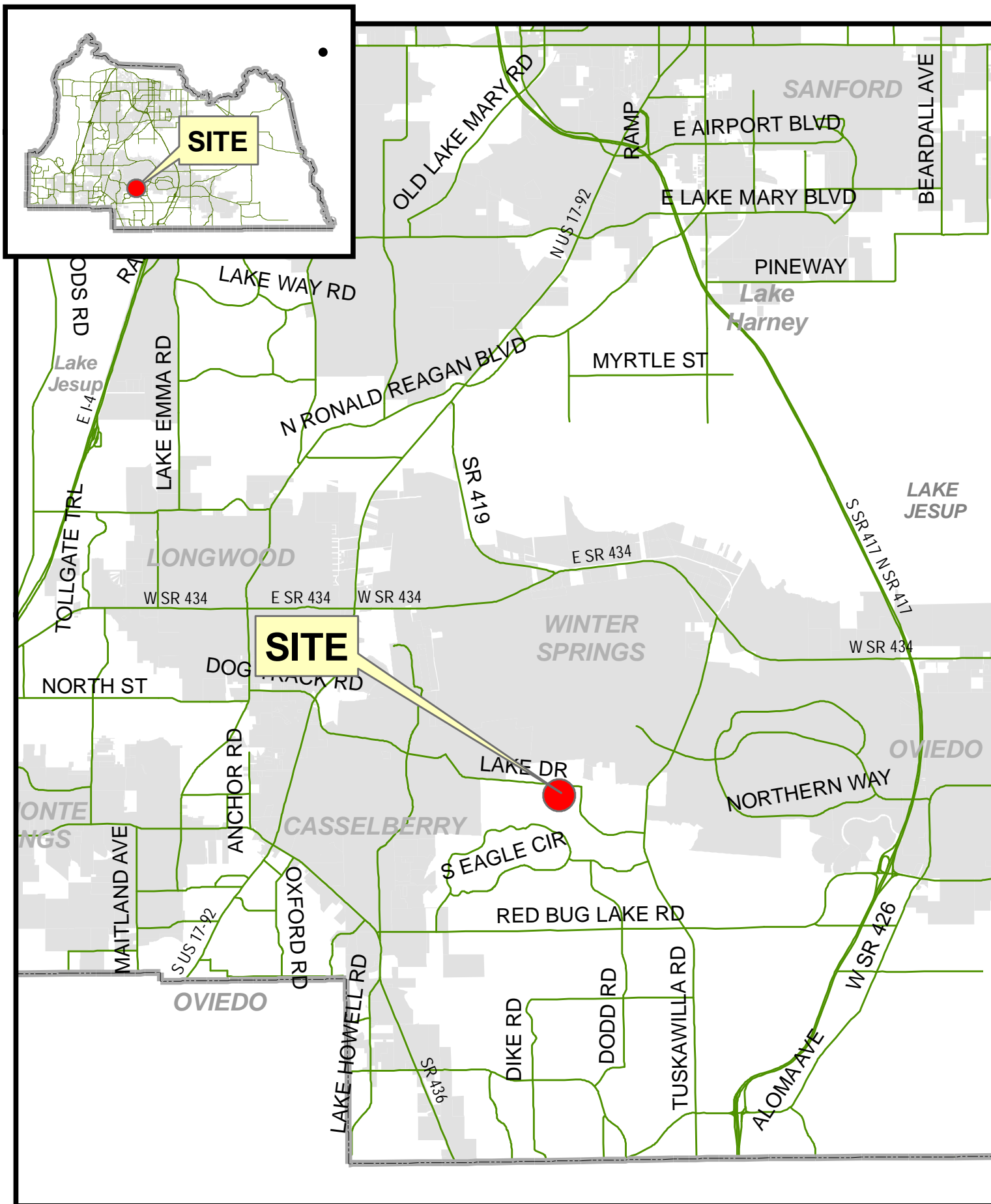
Staff recommends the Board approve the following waivers to the Active/Passive Buffer Setback Design Standards for the Hindu Temple Quadraplex proposed on the south side of Lake Drive and east of Florida Avenue, in Section 10, Township 21 S, Range 30 E, for The Hindu Society of Central Florida, applicant.

1. Reduce building setbacks from 100 feet to 21 feet minimum for passive sides;
2. Reduce building setbacks from 100 feet to 23 feet minimum for active side;
3. Reduce buffer width for passive sides from 15 feet to 7.5 feet minimum;
4. Reduce buffer for active side from 50 feet to varies from 2.7 feet to 9.2 feet.

ATTACHMENTS:

1. Maps and Aerials
2. Location Map
3. Maps and Aerials
4. Reduced Copy of Site Plans
5. Property Survey
6. Building Rendering
7. Waiver Request Letter

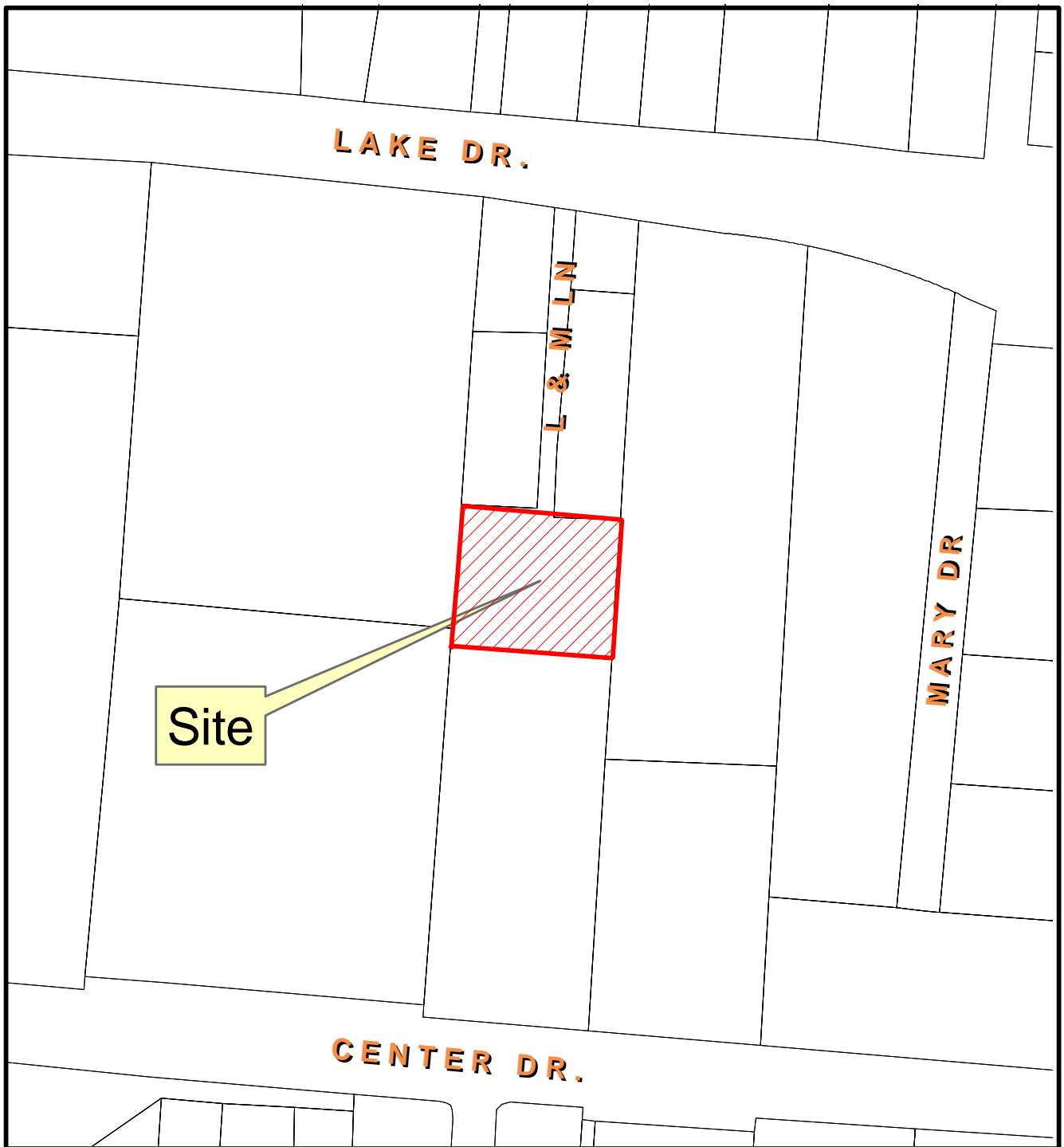
Additionally Reviewed By:
<input checked="" type="checkbox"/> County Attorney Review (David Shields)



filename: L:/pl/projects/p&z/2006/GIS/staff_report_pkgs/sitemaps_large/Z2006-0**sitemap.mxd **/**/06

Hindu Temple Quadrangle

EXHIBIT A





Hindu Temple Quadraplex





Hindu Temple
Quadrplex

-  Parcel
-  Subject Property



January 2006 Color Aerials

APR 3 2008
DEVELOPMENT REVIEW

LAND DESCRIPTION:

A PORTION OF LOT 17, WATTS' FARM AS RECORDED IN PLAT BOOK 6, PAGE 80, PUBLIC RECORDS OF SEMINOLE COUNTY, FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 17; THENCE N 04°59'25" E, ALONG THE WEST LINE OF SAID LOT 17 A DISTANCE OF 500.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N 04°59'25" E, ALONG SAID WEST LINE A DISTANCE OF 142.18 FEET; THENCE S 84°38'22" E, 90.00 FEET; THENCE N 04°59'25" E, 357.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF LAKE DRIVE; THENCE S 84°35'53" E, ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 20.20 FEET; THENCE S 04°59'25" W, 357.00 FEET; THENCE S 84°38'22" E, 90.00 FEET; THENCE S 04°59'30" W, 142.31 FEET; THENCE N 84°35'53" W, 200.19 FEET TO THE POINT OF BEGINNING.

CONTAINING 35,687.0 SQUARE FEET, MORE OR LESS.

OWNER: THE HINDU SOCIETY OF CENTRAL FLORIDA
C/O MR. S.D. SHARMA
1540 JILL JENEE LANE
LONGWOOD, FL. 32779
TELEPHONE: (407) 862-8820

APPLICANT: THE HINDU SOCIETY OF CENTRAL FLORIDA
C/O MR. S.D. SHARMA
1540 JILL JENEE LANE
LONGWOOD, FL. 32779
TELEPHONE: (407) 862-8820

CIVIL ENGINEER: LANDSMART CONSULTANTS
639 EAST COLONIAL DRIVE
SUITE 200
ORLANDO, FLORIDA 32803
TELEPHONE: (407) 894-5148

SURVEYOR: PROFESSIONAL LAND SURVEYING SERVICES, INC.
1280 SEMINOLA BLVD.
SUITE 2
CASSELBERRY, FLORIDA 32707
TELEPHONE: (407) 898-0446
FAX: (407) 898-0505

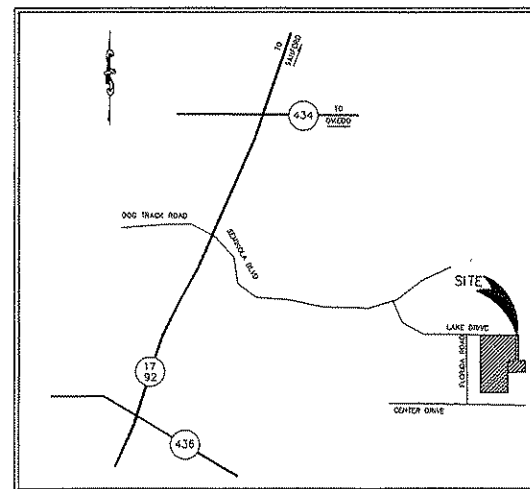
GEOTECHNICAL ENGINEER: UNIVERSAL ENGINEERING SCIENCES
3532 MAGGIE BOULEVARD
ORLANDO, FL. 32811
TELEPHONE: (407) 423-0504
FAX: (407) 423-3108

SERVICE PROVIDERS

WATER:	SEABOARD COUNTY DEVELOPMENT REVIEW 100 EAST FIRST STREET SUNFLOW, FL 32771
SEWER:	SEABOARD COUNTY DEVELOPMENT REVIEW 100 EAST FIRST STREET SUNFLOW, FL 32771
STORMS:	ST. JAMES RIVER WATER MANAGEMENT DISTRICT 500 MILLER ROAD ALABAMA SPRINGS, FL 32741 (407) 856-1800
ELECTRIC:	FLORIDIAN ENERGY P.O. BOX 109 (407) 329-1696
SOLID WASTE:	LOCAL FRANCHISE
STREET LIGHTING:	W.E.T.E.
TRUCKS:	SEABOARD COUNTY FIRE DEPT.
POLICE:	SEABOARD COUNTY SHERIFF DEPT.

PLAN SHEET INDEX

SHEET	DESCRIPTION
X0	COVER SHEET
X1	SITE BUFFER EXHIBIT
X2	OVERALL SITE EXHIBIT
L1	LANDSCAPE PLAN
L3	LANDSCAPE DETAILS
	BUILDING ELEVATION
	SURVEY



VICINITY MAP
NOT TO SCALE

HINDU TEMPLE QUADRAPLEX BUFFER WAIVER REQUEST

**LANDSMART
CONSULTANTS**
639 EAST CENTRAL DR.
ORLANDO, FL 32803
(407) 694-5148

[illegible]LANDSMART
CONSULTANTS

ENGINEER'S NAME & PE

SHORE RD
P.E. INTER. NO. 260

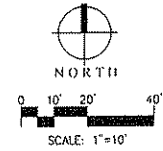
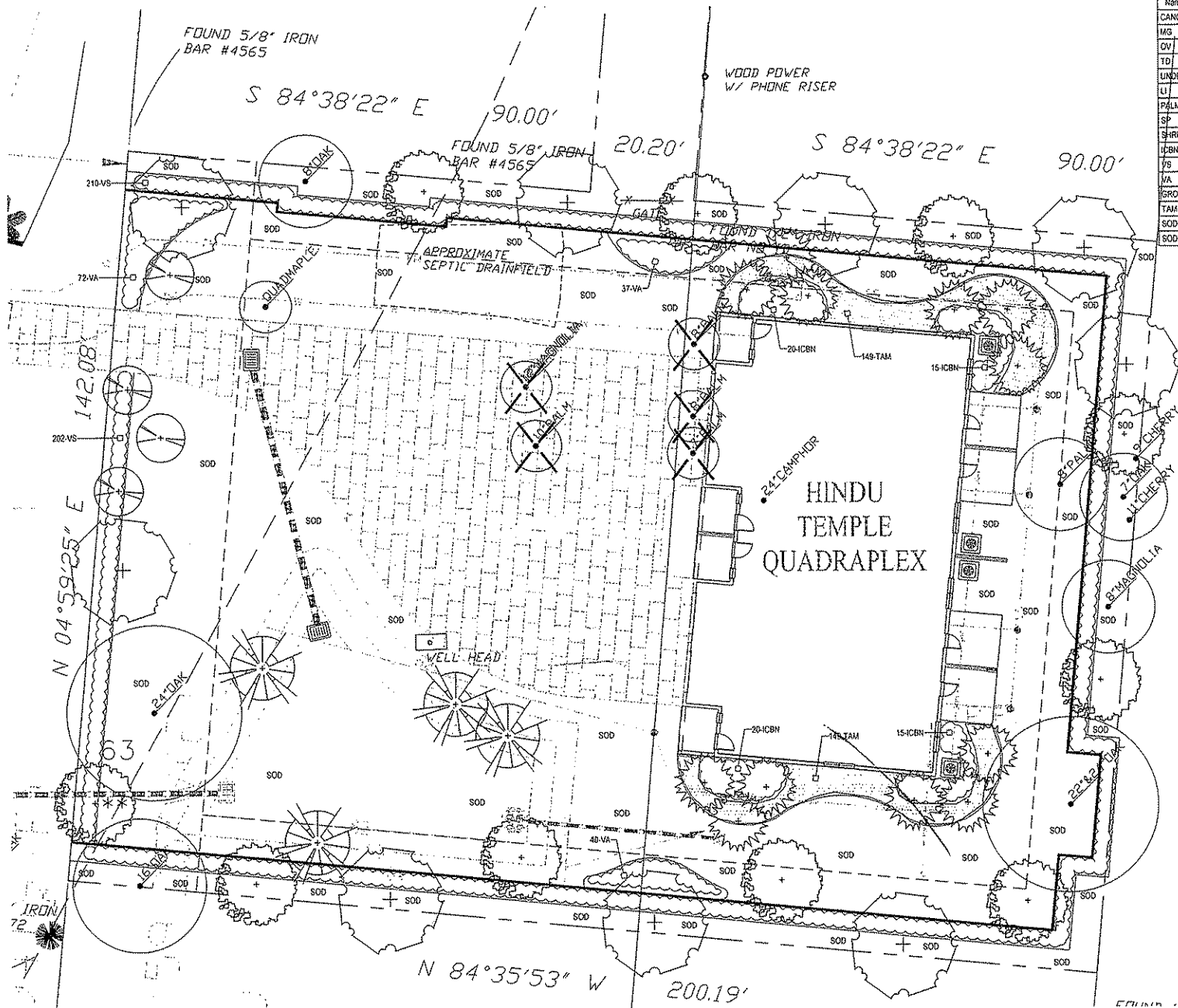
Project # 27.004	
Date 4/02/08	Sheet XC
Scale N/A	
COVER SHEET	

EXHIBIT D



Project #		27.004
Date	4/02/08	Sheet
Scale	1"=50'	X2
OVERALL EXHIBIT		

EXHIBIT D

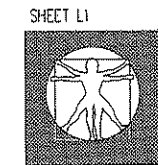


DALE & COMPANY
 651 North Mills Avenue
 Orlando, Florida 32803
 Telephone (407) 894-1317

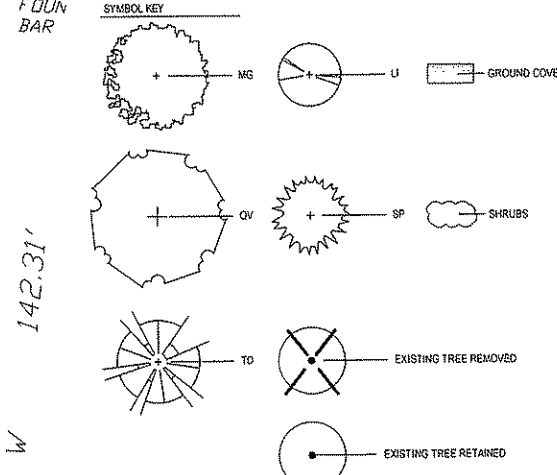
LANDSCAPE SITE PLAN
 FOR
**HINDU TEMPLE
 QUADRUPLEX**
 SEMINOLE COUNTY, FLORIDA

DESIGNED BY: RCD
 DRAWN BY: RCD
 CHECKED BY: RCD
 DATE: 02/08/08

REVISIONS
 1. 02/22/08 BASE
 2. 04/01/08 BASE
 3.
 4.
 5.
 6.



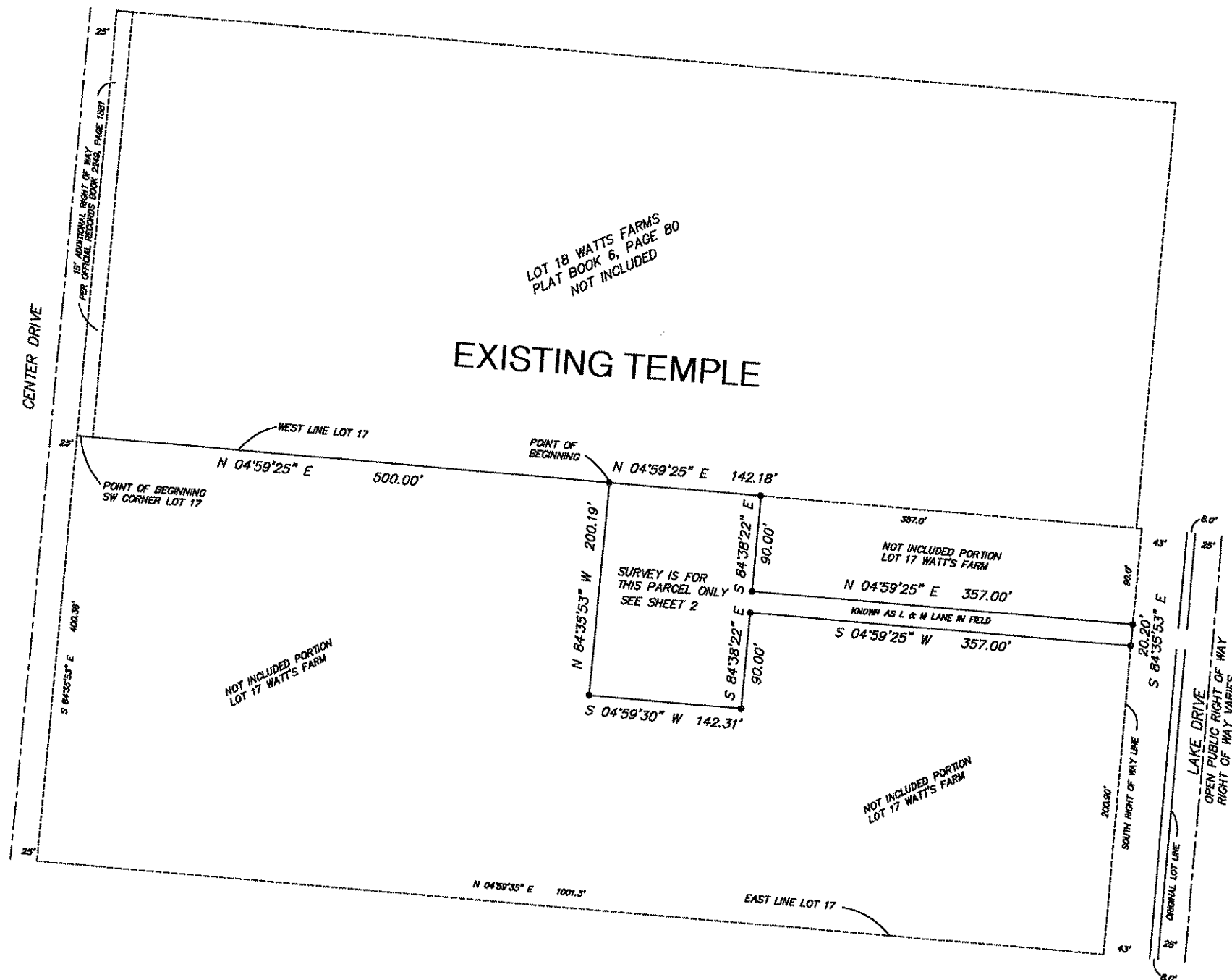
PLANT LIST			
Name	Quantity	BOTANICAL	COMMON
CANOPY			
MG	10	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA
OV	9	QUERCUS VIRGINIANA	LIVE OAK
TD	4	TAXODIUM DISTICHUM	COMMON BALD CYPRESS
UNDERSTORY			
LI	4	LAGERSTROEMIA INDICA	GRAPE MYRTLE
PALMS			
SP	12	SABAL PALMETTO	CABBAGE PALM
SHRUBS			
ICBN	70	ILEX CORNUTA BURFORDI NANA	DWARF BURFORD HOLLY
VB	246	VIBURNUM SUSPENSUM	SANDWICH VIBURNUM
VA	149	VIBURNUM ODORATISSIMUM AWABUKI	AWABUKI VIBURNUM
GROUND COVER			
TAM	288	TRACHEOSPERMUM ASIATICUM MINIMA	DWARF CONFEDERATE JASMINE
SOD	AS REQ.	STENOTAPHRUM SECUNDATUM FLORITAM	FLORATAM ST. AUGUSTINE GRASS



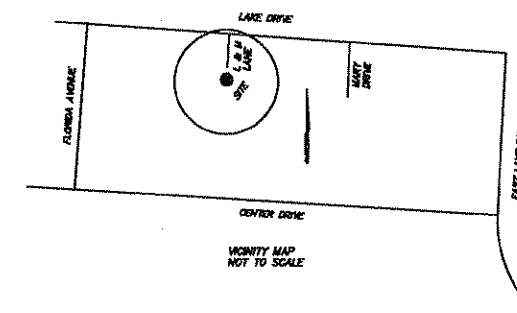
- NOTE:
1. ALL PLANT MATERIAL SHALL BE FLORIDA NO. 1 GRADE.
 2. ALL BEDS SHALL HAVE A MIN. OF 2" MULCH.
 3. IF THE EXISTING PLANT MATERIAL DO NOT MEET THE MINIMUM CODE REQUIREMENT AT THE TIME OF INSPECTION, SUPPLEMENTING WILL BE REQUIRED.
 4. LOCATE WALL FOOTINGS TO AVOID MAJOR TREE ROOTING SYSTEMS

Call before you dig
 800-4-A-DIG-TO-FLORIDA
 FLORIDA LAW REQUIRES EXCAVATORS TO NOTIFY
 OWNERS OF UTILITIES PRIOR TO EXCAVATION
 (EXCEPT FOR EXISTING UTILITIES)
 SUNSHINE STATE ONE CALL
 1-800-432-4770

SEMINOLE COUNTY
 PLANNING DEPARTMENT
 THE APPROVAL IS SUBJECT TO THE CITY OF SEMINOLE COUNTY LAND
 DEVELOPMENT DEPARTMENT REVIEW AND APPROVAL OF THE LAND
 DEVELOPMENT DEPARTMENT. (1994) BY THE BOARD OF COUNTY COMMISSIONERS.
 WITH THE UNDERSTANDING THAT THE CITY OF SEMINOLE COUNTY
 WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE UTILITIES
 AND THE CITY OF SEMINOLE COUNTY WILL BE RESPONSIBLE FOR THE
 MAINTENANCE OF THE UTILITIES. THE CITY OF SEMINOLE COUNTY
 WILL BE RESPONSIBLE FOR THE MAINTENANCE OF THE UTILITIES.
 THE CITY OF SEMINOLE COUNTY WILL BE RESPONSIBLE FOR THE
 MAINTENANCE OF THE UTILITIES.



CONTAINING 35,687.0 SQUARE FEET, MORE OR LESS.



TITLE COMMITMENT PROVIDED BY
LAWYERS TITLE INSURANCE CORPORATION, CASE NO. 2081823 DATED 12/21/07
THE ADDITIONAL EXCEPTIONS LIST AN INGRESS/EGRESS EASEMENT
PER OFFICIAL RECORDS BOOK 3437, PAGE 332. NO EASEMENT IS
LISTED FOR THE POWER LINES.

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED BY THE SIGNING SURVEYOR.
2. UNDERGROUND UTILITIES AND/OR IMPROVEMENTS NOT LOCATED.
3. BEARING ARE BASED ON THE WEST LINE OF LOT 17 WATT'S FARM AS BEING N 04°59'25" E.
4. THIS PARCEL LIES IN SECTIONS 11 AND 14, TOWNSHIP 21 SOUTH, TANGE JO EAST, SEMINOLE COUNTY, FLORIDA.
5. ELEVATIONS ARE BASED ON NAVD 88, SEMINOLE COUNTY DATUM #3151501, ELEVATION = 63.69'
6. SEE SHEET 2 FOR BOUNDARY, TOPOGRAPHIC, AND FLOOD INFORMATION.

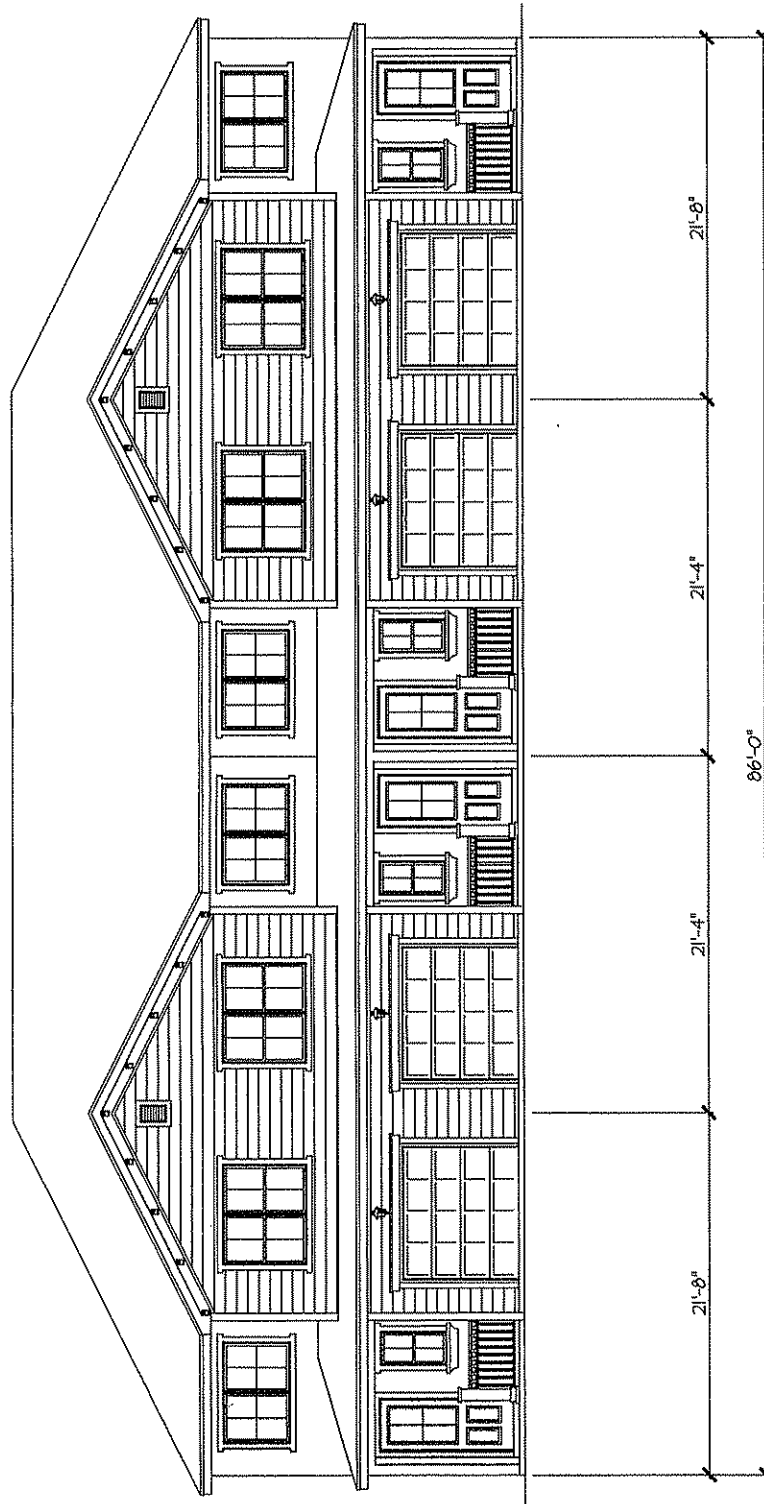
MICHAEL E. PETULLA, P.L.S.
FLORIDA REGISTRATION #4372

[illegible]

PROFESSIONAL LAND SURVEYING SERVICES, INC.
1280 SEMINOLA BOULEVARD * SUITE 2
CASSELBERRY, FLORIDA 32707
(407) 696-0446
FAX (407) 696-0505

MICHAEL E. PETULLA P.L.S.

DRAWING TITLE: ALTA/ACSM LAND SURVEY	
JOB NO. 07-16864	SURVEY FOR: HINDU SOCIETY
Drawn By: MEP	Approved By: M.E. PETULLA P.L.S.
DATE: 11/08/07	SCALE: 1" = 60'
SHEET 1 OF 2	





April 2, 2008

Ms. Cynthia Sweet
Senior Planner
Seminole County Development Review
1101 East First Street
Sanford, FL 32771
(407) 665-7331

Reference: **Active/Passive Buffer Yard Waiver Request**
Hindu Temple Quadraplex
Casselberry, Seminole County, Florida
Seminole County Project No: 08-06000020
AE Project No: 27.004

Dear Ms. Sweet,

We recently received Seminole County's Development Review Committee comments for the Hindu Temple Quadraplex development. Within the Development Review Committee's comments, we were notified that we do not meet the Active/Passive Buffer Yard requirements listed within Seminole County's Land Development Code under Sec. 30.1232.

Although the proposed quadraplex is an accessory to the existing Hindu Temple facility in Casselberry, and is currently zoned agricultural A-1, we were made aware at our initial DRC meeting on March 26, 2008 that our project is being viewed as a commercial development because it is part of a religious complex. The active passive/setback requirements under Sec. 30.1232, is significantly greater than what could be possibly achieved on this site. Consequently, we respectfully request a waiver of the active/passive buffer requirement for the proposed quadraplex on the following grounds for justification.

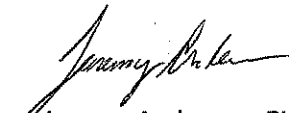
1. While serving as living quarters for the temple the proposed quadraplex building will be an integral part of day to day operations of the temple. We believe that the presence of the quadraplex within the temple premises will improve the overall security of the temple facility and protect its assets from possible vandalism.
2. The proposed landscape buffer and building setbacks exceed the minimum setback requirements listed within the Land Development Code for the parcel's current zoning classification, Agricultural A1.
3. Give the current building footprint size (approximately 45 x 85 feet) and the site constraints (0.82 acre lot), presence of flood plain, drainage easement, it would be virtually impossible to relocate the building and still meet the setback requirement prescribed in Sec. 30.1232.

Active/Passive Buffer Yard Waiver Request
Hindu Temple Quadraplex
Casselberry, Seminole County, Florida
Seminole County Project No: 08-06000020

4. The primary purpose of the proposed quadraplex building is to serve as residential home for the Temple's priests, who as one can imagine lead a very austere and ascetic lifestyle. There will not be any late night parties or activities that would cause disturbance to the adjacent residences.
5. The proposed quadraplex building is located adjacent to the residential homes on the north and east side of the property. We believe that the proposed project will be consistent with its surroundings and enhance the value and not hurt it. We do not expect negative impacts to adjacent neighbors from the presence of a quadraplex.
6. There is currently an unsightly mobile home on the property that will be demolished when the Hindu Temple Quadraplex is constructed. We believe that the proposed quadraplex building will enhance the neighborhood and improve it aesthetically.
7. Per our discussions with staff, we have revised our landscaping plans to include additional vegetation, trees and landscaping.

Short of completely redesigning this project, we are open to any suggestions that we can reasonably accommodate to allay any concerns that the board may have on this project. We appreciate the patience and indulgence of your staff, which have been very helpful explaining the non-conforming issues to us. Based on our discussions with the staff on March 26, we believe we would have their support for the waiver request. We look forward to reaching an agreeable resolution to this matter with your assistance. Please contact me for immediate response to any concerns you might have. We appreciate your consideration.

Respectfully submitted,


Jeremy Anderson, EI
Project Manager



Shridhar S. Rao, MS, P.E.
P.E. No. 56074
President
LandSmart Consultants, LLC.
407-694-5148